Remarks

Further and favorable reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

Initially, as required by the Examiner, Applicants reaffirm their election of the Group I subject matter, i.e. claims 1-6, 10-18 and 31-36.

Referring to the second paragraph on page 3 of the Office Action, the specification and abstract have been amended to make minor changes, which are essentially self-explanatory. In addition, after each occurrence of Formula (I) in the specification and claims, under the definition for R^4, the reference to "R^5 and R^6" has been changed to --R^5 and R^8--, to correct a translation error from Japanese. [Please note that the published International Application correctly refers to "R^5 and R^8".] This change is consistent with the fact that R^6 is subsequently defined in Formula (I).

Referring to the objection to the disclosure in the next paragraph on page 3 of the Office Action, please note that as apparent from the description at page 19, lines 24-26 of the specification, the term Y-128 means (S)-4-[α-hydroxy-5-(1-imidazolyl)-2-methybenzyl]-3,5-dimethylbenzoic acid.

Claims 2-9, 16-18 and 31-36 have been cancelled. As noted by the Examiner, claims 19-30 were previously cancelled.

Claim 1 has been amended to recite a method of promoting expression of MAG, by administering the compound of formula (I), an optically active form thereof or a pharmaceutically acceptable salt thereof to a mammal.

Referring to the rejection of claims 10-18 under the first paragraph of 35 U.S.C. §112, claims 10, 12, 13 and 15 have been amended to recite a method for promoting a myelination of axon, which is supported by the disclosure at page 25, line 32 of the specification. This renders the rejection moot. Also in this regard, Applicants note that Experimental Example 1 in the specification establishes that the present compound promotes the myelination of axon, and that Experimental Examples 2 and 3 establish that the compound of the present invention increases the expression of MAG.

In response to the rejection of claims 2-4, 10-18 and 34-36 under the second paragraph of 35 U.S.C. §112, claim 10 has been further amended to recite that the

compound is administered "to a mammal", and similar changes have been made in claims 12, 13 and 15. In addition, claims 13 and 15 have been amended to delete the term "mainly". In view of these amendments, the rejection of the claims under the second paragraph of 35 U.S.C. §112 has been rendered moot.

The objection to claims 2-4 has also been rendered moot, in view of the cancellation of these claims.

The rejection of claims 1-6, 31, 32 and 34-36 under 35 U.S.C. §103(a) as being unpatentable over Hayashi et al. (EP 0 881 218) is respectfully traversed.

This reference discloses agents for the prophylaxis and treatment of diabetic complications. This disclosure does not suggest the method of promoting expression of MAG, to which amended claim 1 is directed.

Therefore, the rejection based on Hayashi et al. should be withdrawn.

The rejection of claim 33 under 35 U.S.C. §102(b) as being anticipated by Hayashi et al. has been rendered moot, in view of the cancellation of this claim.

Therefore, in view of the foregoing amendments and remarks, it is submitted that each of the grounds of objection and rejection set forth by the Examiner has been overcome, and that the application is in condition for allowance. Such allowance is solicited.

Respectfully submitted,

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